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Plaintiff ALONA C. AUSTRIA
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**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

ALONA C. AUSTRIA

Plaintiff,

vs.

Defendant “1” a/k/a “Le” and John
Doe Defendants 1-10 who are the cohorts of
Defendant “1” and are the owners of the
following cryptocurrency deposit wallets where
Plaintiff’s stolen cryptocurrency assets were
transferred:

Binance:

0xca35a257f63ec765ac6505efe77aa4dabfdf1df1,)
0xc35803007af088764bb0ec3bc3a9a7212efc6b7d,)
0x9f889d090e069b67e9e18682d81700e51d97c970,)
0xd8cc1b581b63915916501a48a073f2673c315d9a,)
0x5bb20604291b91efbec2fb3fe3da93ce62cdea55,)
0x42b04e5db8ed08edd24b060a5a4cc6ee6fe8a469,)
0x512e2292d5df8105b6ae0fa6583df7b35429fe4c,)

Crypto.com:

0x32d75edcc7ee22ca792c40a6b22531d7cf85f470,)
Gate.io:

0x963453a6e6618fdb4f493b4d7f4a220e15ef8726,)
Eigenfx:
0x2fde0d9016c6e7bbd53a353086775ffcf97dae0c,)

Defendant(s).

**COMPLAINT FOR
VIOLATION OF THE RACKETEER INFLUENCED
AND CORRUPT ORGANIZATIONS ACT**

Plaintiff, ALONA C. AUSTRIA, by and through undersigned counsel, sues Defendant “1” a/k/a “Le” and John Doe Defendants 1-10, as follows:

PRELIMINARY STATEMENT

1. Defendants stole 92.388 Ethereum (ETH) and 40,985.19 Tether (USDT) from Plaintiff pursuant to a sophisticated global internet cryptocurrency fraud and conversion scheme, the current market value of which is two hundred eighty-two thousand one hundred twenty-five dollars and twenty-six cents (\$282,125.26) ¹.

2. Defendant “1” played a material role in the theft of Plaintiff’s assets, and upon information and belief, he and his cohorts currently possess all or a significant portion of Plaintiff’s stolen property.

3. Plaintiff brings this lawsuit to recover her stolen assets.

SUBJECT MATTER JURISDICTION AND VENUE

4. This is an action for damages related to the theft of Plaintiff’s cryptocurrency assets as detailed below. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332 (diversity jurisdiction). This action

¹ Current market value calculated using data from etherscan.io and blockchain.com on August 22, 2024.

1 includes damages pursuant to 18 U.S.C. § 1964 (the “Racketeer Influenced and
2 Corrupt Organizations Act” or “RICO”). This Court has subject matter jurisdiction
3 over this action pursuant to 28 U.S.C. § 1331 (federal question).

4 5. Venue is proper in this District pursuant to 18 U.S.C. § 1965(a) and (b),
5 and 28 U.S.C. § 1391(b) and (c).

6 6. Defendants are subject to personal jurisdiction in this district, because
7 they direct business activities toward and conduct business with consumers
8 throughout the United States, including within the State of California and this district
9 through at least a fraudulent website and mobile application (www.short-
10 termtradingset.top) which can be accessed on the internet and on smartphones and
11 is accessible from California.

12 7. Plaintiff accessed the fraudulent website (www.short-
13 termtradingset.top) in the State of California and the theft occurred while Plaintiff
14 was located in the State of California. Defendants directed numerous false and
15 fraudulent representations to Plaintiff in this district, stole Plaintiff’s assets within
16 this district, and caused significant harm to Plaintiff in this district.

17 8. Every website has at least one associated IP address that it uses to
18 communicate with devices on a network. The IP address for www.short-
19 termtradingset.top is 43.130.153.34. Plaintiff has tracked the www.short-
20 termtradingset.top IP address to Virginia.

THE PARTIES AND PERSONAL JURISDICTION

9. Plaintiff, an individual, is *sui juris*, and is a resident and citizen of California.

10. Defendant “1” is an individual, is *sui juris*, and is subject to the personal jurisdiction of this Court. Defendant “1” represented to Plaintiff ALONA AUSTRIA that his name was “Le” and that he is a Chinese citizen.

11. John Doe Defendants 1-10 are the cohorts of Defendant “1” and are the owners of the following cryptocurrency deposit wallets where Plaintiff’s stolen cryptocurrency assets were transferred:

- Binance:
 - 0xca35a257f63ec765ac6505efe77aa4dabfdf1df1
 - 0xc35803007af088764bb0ec3bc3a9a7212efc6b7d
 - 0x9f889d090e069b67e9e18682d81700e51d97c970
 - 0xd8cc1b581b63915916501a48a073f2673c315d9a
 - 0x5bb20604291b91efbec2fb3fe3da93ce62cdea55
 - 0x42b04e5db8ed08edd24b060a5a4cc6ee6fe8a469
 - 0x512e2292d5df8105b6ae0fa6583df7b35429fe4c
- Crypto.com:
 - 0x32d75edcc7ee22ca792c40a6b22531d7cf85f470
- Gate.io:
 - 0x963453a6e6618fdb4f493b4d7f4a220e15ef8726
- Eigenfx:
 - 0x2fde0d9016c6e7bbd53a353086775ffcf97dae0c

12. John Doe Defendants 1-10 are *sui juris* and subject to the personal jurisdiction of this Court. John Doe Defendants 1-10 have not only intentionally

1 concealed their identities as part of their scheme to defraud Plaintiff, but as part of
2 their conspiracy, directed fraudulent communications towards Plaintiff in California,
3 causing Plaintiff to suffer significant economic and emotional harm while in
4 California.

5 13. At all times material hereto, Defendants have maintained and continue
6 to maintain private cryptocurrency wallets and cryptocurrency exchange accounts in
7 which all of or a portion of Plaintiff's stolen cryptocurrency currently sits.

8 **ALLEGATIONS COMMON TO ALL COUNTS**
9

10 **A. Defendants Execute an International Cryptocurrency Theft Scheme**
11

12 14. Plaintiff is a victim of not only a nationwide but also a worldwide RICO
13 conspiracy known as "pig butchering."

14 15. Pig butchering scams are "fraudulent crypto investment schemes
15 directed from Asia," which are now a billion-dollar industry.²

16 16. Pig butchering scams, typically run and perpetrated by organized
17 criminal groups in Southeast Asia, are called such because the victims are "likened
18 to hogs fattened up for slaughter."³

19 17. The scammers, typically located in Southeast Asia, carefully research
20 their victims and can spend months grooming the victim to gain their trust.

² <https://www.reuters.com/investigates/special-report/fintech-crypto-fraud-thailand/>

³ <https://www.nbcnews.com/news/crime-courts/pig-butcher-scams-rise-fbi-moves-stop-bleeding-rcna137009>

1 18. Pig butchering scammers utilize expertly crafted copycat websites that
2 replicate authentic trading platforms. These scammers simulate trades and returns
3 and the victims are unaware of the scheme.⁴

4 19. About February 2023, Plaintiff met Defendant “1” a/k/a “Le” on
5 match.com. Defendant “1” continued to communicate with Plaintiff via Whatsapp.

6 20. Defendant “1” a/k/a “Le” used multiple fake identities on social media
7 platforms. Defendant “1” is currently representing himself as “Kevin” on social
8 media.

9 21. Defendant “1” misrepresented that he would teach Plaintiff how to
10 become a successful cryptocurrency trader.

11 22. Defendant “1” lured Plaintiff by showing her examples over WhatsApp
12 of how he was successfully earning high returns on his cryptocurrency trading
13 methods.

14 23. Defendant “1” represented to Plaintiff that he was using a trusted
15 website (www.short-termtradingset.top) that, according to Defendant “1”, was
16 owned and operated by Crypto.com.

17 24. Defendant “1” assisted Plaintiff in utilizing www.short-
18 termtradingset.top which he claimed was the trading website operated by
19 Crypto.com. He stated that www.short-termtradingset.top would be used as a trading

⁴ <https://www.reuters.com/investigates/special-report/fintech-crypto-fraud-thailand/>

1 platform with the purpose of making transactions; and when done, the assets would
2 be transferred to Crypto.com for withdrawal.

3 25. However, the website Defendant “1” provided to Plaintiff was not a
4 legitimate exchange platform owned and operated by Crypto.com but was instead a
5 fraudulent copycat website created to deceive individuals, including Plaintiff, into
6 believing they were investing on a legitimate cryptocurrency exchange owned and
7 operated by Crypto.com.

8 26. To further entice Plaintiff into believing he was a legitimate investor
9 who only wanted to assist Plaintiff in becoming a successful cryptocurrency trader
10 like him, on or about February 2, 2023 Defendant “1” had Plaintiff run a test where
11 she transferred approximately two thousand two hundred and twelve dollars
12 (\$2,212.00) worth of cryptocurrency from her Crypto.com account into the
13 fraudulent www.short-termtradingset.top platform. When Plaintiff was able to
14 transfer this amount back to her digital wallet, she believed that Defendant “1” was
15 a legitimate investor who wanted to help her learn how to invest cryptocurrency and,
16 further, that the fraudulent website she had been utilizing was also legitimate.

17 27. After familiarizing herself with the process of trading on the fraudulent
18 website recommended by Defendant “1,” and in reliance on the foregoing false and
19 fraudulent misrepresentations, Plaintiff started to transfer cryptocurrency from her
20 Crypto.com account, a legitimate third-party online platform for buying, selling,

1 transferring, and storing cryptocurrency, to the fraudulent website (www.short-
2 termtradingset.top).

3 28. Defendants posted fraudulent returns on their fake website which made
4 it appear that Plaintiff was making money on her trades.

5 29. As a result, she continued to transfer cryptocurrency from her
6 Crypto.com account to the fraudulent exchange. Because of the fraudulent
7 representations contained on the fake www.short-termtradingset.top account, and
8 misrepresentations made by Defendant “1”, and additional individuals who claimed
9 to be account managers and/or customer service representatives for www.short-
10 termtradingset.top, Plaintiff believed that she had made significant money from the
11 investment.

12 30. Plaintiff was told by Defendant “1” that the value of her cryptocurrency
13 had grown from approximately two hundred ten thousand three hundred twenty-five
14 dollars (\$210,325.00) to approximately five hundred eighteen thousand four hundred
15 seventy-seven dollars and forty cents (\$518,477.40), which was also reflected on the
16 fraudulent www.short-termtradingset.top statements.

17 31. Plaintiff was happy with what she believed was a significant return on
18 Plaintiff’s investment. However, Plaintiff decided it was time to transfer some of the
19 cryptocurrency from www.short-termtradingset.top back to Plaintiff’s Crypto.com
20 account. When Plaintiff attempted to withdraw her cryptocurrency from the

1 fraudulent website, Plaintiff experienced issues and was unable to make transfers.

2 32. However, Plaintiff was told by individuals claiming to be www.short-
3 termtradingset.top customer representatives that before she could withdraw her
4 cryptocurrency, she was required to transfer an additional eighty-six thousand
5 dollars (\$86,000.00) worth of cryptocurrency to the fraudulent www.short-
6 termtradingset.top exchange to pay taxes on her earnings.

7 33. When Plaintiff questioned Defendant “1” about the transfer issues she
8 was experiencing, Defendant “1” provided excuses and made additional false
9 representations.

10 34. Additionally, when Plaintiff confided in Defendant “1” that she no
11 longer had any more money to invest, Defendant “1” grew angry with her and
12 threatened to no longer assist her with her cryptocurrency investments.

13 35. Plaintiff communicated with additional individuals who claimed to be
14 www.short-termtradingset.top customer service representatives and account
15 managers and assured Plaintiff that everything would be resolved once she deposited
16 an additional forty-one thousand dollars (\$41,000.00) worth of cryptocurrency to
17 raise her credit score in order for her to complete her withdrawal.

18 36. After multiple unsuccessful attempts to try to reach individuals who
19 claimed to be www.short-termtradingset.top customer service representatives and
20 account managers, Plaintiff realized she had been scammed. Plaintiff also made

1 numerous unsuccessful attempts to transfer the cryptocurrency from the fake copycat
2 exchange back to her Crypto.com wallet.

3 **B. Plaintiff's Forensic Tracing of Her Stolen Cryptocurrency**

4 37. When a transaction is made on the blockchain it is assigned a
5 "transaction hash" ("TXID"). A transaction hash is a unique string of characters that
6 is given to every transaction that is verified and added to the blockchain. A TXID is
7 used to uniquely identify a particular transaction. All on-chain transactions (the
8 transactions from or to external addresses) have a unique TXID that can be seen in
9 transaction details. All on-chain transactions (depositing and withdrawing of funds)
10 have a unique TXID that can be found in transaction details

11 38. Within the time frame of February 2, 2023, and July 11, 2023, Plaintiff
12 made 7 transactions from her Crypto.com account to the fraudulent exchange. In
13 total, Plaintiff transferred approximately 92.388 Ethereum (ETH) and 40,985.19
14 Tether (USDT) to the fraudulent exchange, which had a market value at the time of
15 approximately \$210,325.00 (USD).

16 39. Plaintiff has retained forensic cryptocurrency tracing experts who have
17 traced Plaintiffs stolen assets on the blockchain. Attached hereto as Exhibit "A" is
18 the tracing report completed by experts at CNC Intelligence, Inc. Plaintiff
19 incorporates Exhibit "A" into his verified complaint.

20 40. As the tracing report shows, Defendant "1" with help of multiple co-

1 conspirators opened numerous cryptocurrency wallets owned by John Doe
2 Defendants 1-10 to launder the stolen cryptocurrency to the identified foreign
3 cryptocurrency exchanges.

4 **COUNT I**
5 **RACKETERING IN VIOLATION OF 18 U.S.C. § 1964**

6 41. The operation of Defendant “1” and John Doe Defendants 1-10,
7 individually and through their alleged business in trading cryptocurrency as
8 cryptocurrency traders in their sophisticated global internet cryptocurrency fraud
9 and conversion scheme constitutes a racketeering operation.

10 42. Defendant “1” directed and coordinated with John Doe Defendants 1-
11 10 as yet unidentified additional parties (“RICO Enterprise,” or “Enterprise”) within
12 the meaning of 18 U.S.C. § 1964(4), WHICH Enterprise was engaged in, or the
13 affairs of which affected, interstate and foreign commerce.

14 43. Defendant “1” and John Doe Defendants 1-10 were each also a member
15 of the RICO Enterprise, as each was a distinct person, separate and apart, from each
16 of the RICO Enterprise members together.

17 44. The RICO Enterprise engaged in a pattern of racketeering activity.

18 45. Each person’s participation was effective partly because each mimicked
19 an actual on-going business (including the fraudulent platform www.short-termtradingset.top) with a presence in the marketplace: the United States and indeed
20 worldwide.
21

1 46. As co-conspirators, the unlawful conduct of each member of the RICO
2 Enterprise is attributed to every member, i.e. Defendant “1” and John Doe
3 Defendants 1-10 as yet unidentified co-conspirators.

4 47. As set forth above, the RICO Enterprise engaged in the following
5 predicate acts of racketeering within the meaning of 18 U.S.C. § 1961(1): Wire fraud
6 in violation of 18 U.S.C. § 1343.

7 48. The predicate acts set forth in this Complaint, include defrauding
8 Plaintiff beginning in February 2023, through domestic and international
9 communication including but not limited to match.com and WhatsApp messaging,
10 and domestic and international in-app communication.

11 49. The predicate acts set forth in this Complaint are related, in that they
12 have the same or similar purposes, results, participants, and methods of commission,
13 and are otherwise interrelated by distinguishing characteristics and are not isolated
14 events. The related criminal schemes set forth in this Complaint constitutes a
15 “pattern or patterns of racketeering activity” as defined in 18 U.S.C. § 1961(5).

16 50. The Defendants engaged in two or more predicated acts of racketeering
17 within a period of ten years and committed at least one such act after October 15,
18 1970.

19 51. The information that would establish further predicate acts and further
20 acts of racketeering is solely within the control of Defendants. Plaintiff requires

1 discovery to ferret out the further extent of predicate acts and further acts of
2 racketeering, including the identity of similarly situated defrauded victims and the
3 scope of the systematic fraud.

4 52. Defendants have received income derived, directly or indirectly, from
5 a pattern of racketeering activity and used or invested, directly or indirectly, part of
6 such income, or the proceeds of such income, in acquisition of an interest in, or in
7 the establishment or operation of, the RICO Enterprise, an enterprise which is
8 engaged in, or the activities of which affect, interstate or foreign commerce in
9 violation of 18 U.S.C. § 1962(a).

10 53. Defendants through a pattern of racketeering activity maintain, directly
11 or indirectly, an interest in or control of the RICO Enterprise, an enterprise which is
12 engaged in, or the activities of which affect, interstate or foreign commerce in
13 violation of 18 U.S.C. § 1962(b).

14 54. Defendant “1” was associated with the RICO Enterprise, and conducted
15 or participated, directly or indirectly, in the conduct of the Enterprise’s affairs
16 through the pattern of racketeering activity described herein in violation of 18 U.S.C.
17 § 1962(c).

18 55. Defendant “1” and/or John Doe Defendants 1-10 as yet unidentified
19 additional parties, each entered into a conspiracy to conduct or participate, directly
20 or indirectly, in the conduct of the RICO Enterprises’ affairs through the pattern of

1 racketeering activity described herein, in violation of 18 U.S.C. § 1962(d).

2 56. As a direct and proximate result of Defendants' unlawful actions,
3 Plaintiff has suffered damages.

4 **WHEREFORE,** Plaintiff demands that judgment be entered against
5 Defendant "1" and John Doe Defendants 1-10, jointly and severally, as follows:

- 6 (a) damages;
- 7 (b) statutory trebled damages pursuant to 18 U.S.C. §
8 1964(c);
- 9 (c) punitive damages;
- 10 (d) costs, including reasonable attorney's fees, pursuant
11 to 18 U.S.C. § 1964(c);
- 12 (e) costs;
- 13 (f) interest; and
- 14 (g) such other and further relief as this Court deems just
15 and proper.

16 **COUNT II**
17 **CONVERSION**

18 57. Through fraudulent misrepresentations, Defendants convinced Plaintiff
19 to invest her money into cryptocurrency.

20 58. Defendants then convinced Plaintiff to transfer her cryptocurrency to
21 the fake exchange owned and operated by Defendants.

1 59. After Plaintiff transferred her cryptocurrency assets to the fake
2 exchange, Defendants then transferred Plaintiff's cryptocurrency to cryptocurrency
3 addresses owned by Defendant "1" and John Doe Defendants 1-10.

4 60. Plaintiff owned and had a right to possess the cryptocurrency.

5 61. Defendants substantially interfered with the cryptocurrency by
6 knowingly or intentionally misappropriating the funds and taking possession of the
7 cryptocurrency, preventing Plaintiff from having access to the cryptocurrency.

8 62. Defendants have refused to return Plaintiff's cryptocurrency after
9 Plaintiff demanded its return on multiple occasions.

10 63. Defendants did not have Plaintiff's consent to convert Plaintiff's funds
11 to their own use or to the use of others not entitled thereto and have exercised
12 dominion and control over the funds to Plaintiff's exclusion and detriment.

13 64. Defendant's conduct was a substantial factor in causing Plaintiff harm.

14 65. As a direct and proximate result of Defendants' conversion and
15 conduct, Plaintiff has suffered damages.

16 **WHEREFORE**, Plaintiff demands that judgment be entered against
17 Defendant "1" and John Doe Defendants 1-10, jointly and severally, for damages,
18 interest, costs, and such other and further relief as this Court deems just and proper.

19 **COUNT III**
20 **UNJUST ENRICHMENT**

21 66. Defendants received a direct benefit at Plaintiff's expense by

1 fraudulently convincing Plaintiff to transfer valuable cryptocurrency that
2 Defendants converted from Plaintiff. Defendants have knowledge of the benefit
3 Plaintiff conferred upon them and have retained such benefit.

4 67. The circumstances under which Plaintiff conferred, and Defendants
5 accepted, such benefit render Defendants' retention of the benefits inequitable.

6 68. Equity required that Defendants return to Plaintiff the benefits she
7 conferred upon Defendants.

8 **WHEREFORE**, Plaintiff demands that judgment be entered against
9 Defendant "1" and John Doe Defendants 1-10, jointly and severally, for damages,
10 interest, costs, and such other further relief as this Court deems just and proper.

11 **COUNT IV**
12 **IMPOSITION OF CONSTRUCTIVE TRUST AND**
13 **DISGORGEMENT OF FUNDS**

14 69. This is an action to impose a constructive trust upon the property taken
15 from Plaintiff that is currently held by Defendants.

16 70. This action further calls for the restoration to Plaintiff of that
17 wrongfully obtained property.

18 71. As set forth above, Defendants – through actual fraud,
19 misappropriation, conversion, theft, or other questionable means – obtained
20 Plaintiff's cryptocurrency, which in equity and good conscience Defendants should
21 not be permitted to hold.

1 Defendant “1”, including that he was an expert in cryptocurrency investments,
2 Plaintiff transferred her cryptocurrency assets to the fake cryptocurrency platform
3 which were in actuality deposit addresses owned by John Doe Defendants 1-10.

4 77. Defendants conspired with others via the fraudulent website
5 www.short-termtradingset.top and WhatsApp where they communicated with
6 Plaintiff. Defendant “1” and John Doe Defendants 1-10 are the owners of the
7 cryptocurrency deposit addresses where Plaintiff’s stolen cryptocurrency was
8 transferred.

9 78. As a result, Plaintiff has suffered damages as a direct and proximate
10 result of Defendants’ conspiracy.

11 79. Defendants are responsible for the harm caused by such wrongful acts
12 because they each were part of a conspiracy to commit such violations.

13 80. Defendants each entered into an agreement to commit such wrongful
14 acts.

15 81. Defendants were aware that each co-conspirator planned to commit
16 such wrongful acts.

17 82. Defendants each agree with one another and intended that the wrongful
18 acts be committed.

19 **WHEREFORE**, Plaintiff demands that judgment be entered against
20 Defendant “1” and John Doe Defendants 1-10, jointly and severally, for damages,

1 interest, costs, and such other and further relief as this Court deems just and proper.

2 **DEMAND FOR A JURY TRIAL**

3 Plaintiff demands trial by jury on all issues so triable.

6 **VERIFICATION**

8 I, ALONA C. AUSTRIA, hereby declare under penalty of perjury that I have
9 read the foregoing COMPLAINT FOR CONVERSION OF STOLEN
10 CRYPTOCURRENCY and verify that all statements made herein are true and
11 correct to the best of my knowledge, understanding, and belief.

12 Dated: August 26, 2024

ACauStria
13 ALONA C. AUSTRIA, Plaintiff

15 Dated: August 26, 2024

Respectfully Submitted,

16 /s/ Kiley L. Grombacher

17 Kiley L. Grombacher, Esq. (SBN 245960)

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